

IN THE
ARIZONA COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,
Appellee,

v.

BRANDON DAWUAN WHEELER,
Appellant.

No. 2 CA-CR 2019-0274
Filed August 7, 2020

THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.

NOT FOR PUBLICATION
See Ariz. R. Sup. Ct. 111(c)(1); Ariz. R. Crim. P. 31.19(e).

Appeal from the Superior Court in Pima County
No. CR20183727002
The Honorable Teresa Godoy, Judge Pro Tempore

AFFIRMED

COUNSEL

Emily Danies, Tucson
Counsel for Appellant

STATE v. WHEELER
Decision of the Court

MEMORANDUM DECISION

Chief Judge Vásquez authored the decision of the Court, in which Presiding Judge Staring and Judge Brearcliffe concurred.

V Á S Q U E Z, Chief Judge:

¶1 After a jury trial, Brandon Wheeler was convicted of possession of a deadly weapon by a prohibited possessor.¹ The trial court sentenced him to an enhanced, mitigated prison term of six years.

¶2 On appeal, counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), stating she has reviewed the record and was unable to find any “arguable question of law.” Consistent with *State v. Clark*, 196 Ariz. 530, ¶ 30 (App. 1999), counsel has provided “a detailed factual and procedural history of the case, with citations to the record,” and has asked us to search the record for reversible error. Wheeler has not filed a supplemental brief.

¶3 Viewed in the light most favorable to affirming the jury’s verdict, *see State v. Tamplin*, 195 Ariz. 246, ¶ 2 (App. 1999), the evidence is sufficient here, *see* A.R.S. § 13-3102(A)(4). In August 2018, when officers detained and searched Wheeler, they found a handgun on his person. Wheeler had been convicted of felony offenses and his civil rights had not been restored. The record also supports the trial court’s finding that Wheeler had three historical prior felony convictions. The sentence imposed is within the statutory range. *See* A.R.S. §§ 13-703(C), (J), 13-3102(M).

¶4 Pursuant to our obligation under *Anders*, we have searched the record for reversible error and have found none. Accordingly, we affirm Wheeler’s conviction and sentence.

¹Wheeler was also indicted for possession of a dangerous drug and possession of drug paraphernalia. However, those counts were severed, and the state proceeded to trial on the weapons misconduct charge.